

**A RESOLUTION**

**02-*R*-0448**

**BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SETTLE CIVIL ACTION NUMBER 00-VS-001729-G, CANAL INSURANCE, et al., v. CITY OF ATLANTA AND JAMES ROSSER, A CASE INVOLVING A MOTOR VEHICLE ACCIDENT, IN THE AMOUNT OF \$3,500.00.**

**WHEREAS**, Canal Insurance Company filed a lawsuit against the City of Atlanta and its employee, James Rosser on February 14, 2000, seeking \$6,806.95 in damages, alleging negligence arising out of an automobile accident involving the driver of a dump truck for RAC Trucking, the Plaintiff's insured, and a City sanitation dump truck driven by James Rosser, an employee of the Department of Public Works; and

**WHEREAS**, the City Attorney's office has thoroughly investigated the facts and circumstances involved in this matter and has determined that an offer of settlement to the Plaintiff is the only legal course of action that would effectively relieve Mr. Rosser of personal liability for the accident; and

**WHEREAS**, it has been determined that it is desirable and in the best interests of the City and Mr. Rosser to settle this lawsuit for \$3,500.00 and Plaintiff's attorney has agreed to accept such a settlement;

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that \$3,500.00 be paid by the City of Atlanta to the Plaintiff, Canal Insurance Company, for the purpose of fully resolving all claims in the Lawsuit styled: Canal Insurance Company, et al. v. City of Atlanta and James Rosser, State Court of Fulton County, Georgia, Civil Action No.: 00-vs-001729-G, provided that Plaintiff dismisses the lawsuit with prejudice and executes a release satisfactory to the City Attorney; and

**BE IT FURTHER RESOLVED** that the City of Atlanta Department of Finance is authorized to issue a check for \$3,500.00 payable to the Plaintiff and issued from account number 1A01/529017/T31001.